IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 13781 of 2005

Between:

L. Krishnamayya Swamy, s/o Appanna,
Junior Lecturer in Commerce, A.P.Residential Junior College,

Thatipudi, Vizianagaram District.

..... PETITIONER

AND

1. Andhra Pradesh Residential Educational Institutions Society,

(APREIS Regd.) represented by its Secretary,
Hyderabad.
2. The Commissioner of Intermediate Education,

Andhra Pradesh, Nampally, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of *Writ of Mandamus* declaring the action of the 1st respondent in initiating proceedings and consequential proceedings dt.16-06-2005 Rc.No.Ser-IIA-3/1629/2005-7 of the 2nd respondent transferring the petitioner on deputation as Junior Lecturer in Commerce from A.P. Residential Junior College, Thatipudi, Vizianagaram District under the control of the 1st respondent to the Government Junior Colleges, Salur Vizianagaram District under the control of the 2nd respondent without protecting the petitioner's pay and allowances and other service conditions attached to his post in his parent department is arbitrary and illegal and violative of principles of natural justice.

Counsel for the Petitioner: MR.P.PRABHAKAR RAO
Counsel for the Respondent No.1: MR.C. SINDHUKUMAR
Counsel for the Respondent No.2: MR. VIJAYA BHASKAR MOOLA

The Court made the following:

ORDER:

This writ petition is filed by the petitioner, who is working as Junior Lecturer in A.P. Residential Junior College, Thatipudi, Vizianagaram District and who is on deputation under the impugned order.

2 . The grievance of the petitioner is that though he was transferred by way of deputation, his pay and allowances were not protected under the impugned orders of transfer. Therefore, the petitioner has come up with this present writ petition.

3 . This Court, at the time of admission directed the counsel appearing for the respondents to get instructions. After getting instructions, the learned counsel appearing for the first respondent has stated that as per the policy of the Government and in accordance with the rules, the employees, who were sent on deputation are entitled for protection of pay and other allowances. Therefore, the petitioner who is sent on deputation is also entitled for protection of the pay and allowances as per the proceedings of the second respondent vide. Procs.Rc.No.Ser-AII-3/1629/2005-3, dated 16.06.2005 and the terms and conditions of the Foreign Service are stipulated in G.O. (P) No.10 Finance & Planning Department, dated 22.01.1993 as amended from time to time.

In view of the representation made by the counsel appearing for the respondents that the pay and allowances are being protected, recording the same, the writ petition is disposed of. No order as to costs.

(S. ANANDA REDDY, J)

Date: 05.07.2005

Note: Issue C.C. in three days.

B.O.

Ksn

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. Andhra Pradesh Residential Educational Institutions Society,

(APREIS Regd.) represented by its Secretary,
Hyderabad.
2. The Commissioner of Intermediate Education,

Andhra Pradesh, Nampally, Hyderabad.

3. 2 CD copies

4. 1 CC to MR.PRABHAKAR RAO

*Form-NIC-OGS/WP{**RS**}*